

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

KIMBERLY-CLARK CORPORATION,

Plaintiff,

v.

MCKESSON MEDICAL-SURGICAL INC.,
VICTOR BAKKAR, CLARE MEDICAL, INC.,
HERBERT A. TOMS III,

Defendants.

Civil Action No. 3:18-cv-00002-REP

**STIPULATED MOTION FOR SECOND EXTENSION OF TIME
TO RESPOND TO COMPLAINT**

Defendants McKesson Medical-Surgical Inc., Victor Bakkar, Clare Medical, Inc., and Herbert A. Toms III (“Defendants”) hereby move this Court for an extension of time to respond to Plaintiff’s Complaint from March 8, 2018, to March 26, 2018. Plaintiff has stipulated to this extension. Defendants respectfully submit that this extension should be granted for the following reasons:

1. Plaintiff commenced this action on January 2, 2018.
2. Defendant McKesson Medical-Surgical Inc. was served with the Complaint and Summons on January 4, 2018.
3. Defendant Victor Bakkar was served with the Complaint and Summons on January 11, 2018.
4. Defendant Clare Medical, Inc. agreed to accept service of the Complaint through its attorney, and was deemed to be complete and accepted as of January 16, 2018.

5. Defendant Herbert A. Toms III was served with the Complaint and Summons on January 4, 2018.

6. On January 24, 2018, Defendants filed a stipulated motion for an extension of time to respond to Plaintiff's Complaint to March 8, 2018. ECF No. 8. The Court granted the stipulated motion by Order dated January 26, 2018, and the deadline for Defendants to respond to the Complaint is presently set at March 8, 2018. ECF No. 13.

7. Defendants respectfully request a brief extension of time, until March 26, 2018, to respond to the Complaint, in order to give the parties time to discuss the resolution of this case without further litigation.

8. Plaintiff has stipulated to this extension.

9. Because the time for Defendants to answer, plead, or otherwise respond to the Complaint has not yet passed, no separate brief in support of this motion is required pursuant to Local Rule 7(F)(2) of the Eastern District of Virginia.

10. Attached is a proposed Order granting Defendants the requested extension.

For the foregoing reasons, Defendants request that this Court grant this stipulated motion and enter an Order setting the deadline for all Defendants to respond to the Complaint at March 26, 2018.

Dated: March 8, 2018

Jeffrey S. Rosenberg (VSB 85011)
Gibson Dunn & Crutcher LLP
1050 Connecticut Ave NW
Suite 300
Washington, DC 20036-5306
Telephone: (202) 955-8500
Facsimile: (202) 530-9537
jsrosenberg@gibsondunn.com

Respectfully submitted,

/s/ Pierre Hines
Megan A. Crowley (*pro hac vice*)
Pierre Hines (VSB No. 89251)
COVINGTON & BURLING LLP
One CityCenter
850 Tenth Street NW
Washington, DC 20001
Telephone: (202) 662-5239

Timothy W. Loose
Gibson Dunn & Crutcher LLP
333 South Grand Avenue
Los Angeles, CA 90071-3197
Telephone: (213) 229-7746
Facsimile: (213) 229-6746
TLoose@gibsondunn.com

Counsel for Kimberly-Clark Corporation

Facsimile: (202) 778- 5239
PHines@cov.com
mcrowley@cov.com

Clara J. Shin (*pro hac vice*)
COVINGTON & BURLING LLP
One Front Street
San Francisco, CA 94111
Telephone: (415) 591-7058
Facsimile: (415) 591-6091
cshin@cov.com

*Counsel for McKesson Medical-Surgical Inc.
and Victor Bakkar*

/s/ Michael P. Coakley
Michael P. Coakley
Miller, Canfield, Paddock and Stone, P.L.C.
150 West Jefferson, Suite 2500
Detroit, MI 48226
Telephone: (313) 496-7531
Facsimile: (313) 496-8454
coakley@millercanfield.com

Thomas G. Connolly
HARRIS, WILTSHERE & GRANNIS LLP
1919 M Street, N.W., Suite 800
Washington, D.C. 20036
Telephone: (202) 730-1300
Facsimile: (202) 730-1301
tconnolly@hwglaw.com

*Counsel for Clare Medical, Inc., and
Herbert A. Toms III*

CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2018, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Jeffrey S. Rosenberg (VSB 85011)
Gibson Dunn & Crutcher LLP
1050 Connecticut Ave NW
Suite 300
Washington, DC 20036-5306
Telephone: (202) 955-8500
Facsimile: (202) 530-9537
jsrosenberg@gibsondunn.com

Donald A. Daugherty , Jr.
Godfrey & Kahn SC
833 East Michigan Street
Suite 1800
Milwaukee, WI 53202-5615
Telephone: (414) 287-9512
Facsimile: (414) 287-5198
ddaugherty@gklaw.com

Michael P. Coakley
Miller, Canfield, Paddock and Stone,
P.L.C.
150 West Jefferson, Suite 2500
Detroit, MI 48226
Telephone: (313) 496-7531
Facsimile: (313) 496-8454
coakley@millercanfield.com

Thomas G. Connolly
HARRIS, WILTSHERE & GRANNIS
LLP
1919 M Street, N.W., Suite 800
Washington, D.C. 20036
Telephone: (202) 730-1300
Facsimile: (202) 730-1301
tconnolly@hwglaw.com

Conor Terrence Fitzpatrick
Miller Canfield Paddock & Stone PLC

150 W Jefferson
Suite 2500
Detroit, MI 48226-4415
Telephone: (313) 496-7862
Facsimile: (313) 496-8453
fitzpatrick@millercanfield.com

/s/ Pierre Hines
Pierre Hines (VSB No. 89251)
COVINGTON & BURLING LLP
One CityCenter
850 Tenth Street NW
Washington, DC 20001
Telephone: (202) 662-5239
Facsimile: (202) 778- 5239
PHines@cov.com

*Counsel for McKesson Medical-Surgical Inc.
and Victor Bakkar*